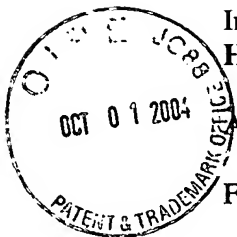


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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Application of  
**HOPPE, et al.**

Examiner: Not Yet Known

Art Unit: Not Yet Known

Application No.: **10/766,339**

Filed: **January 28, 2004**

Title: **SCREENING ASSAY BASED ON THE  
FORKHEAD TRANSCRIPTION FACTOR-  
DEPENDENT SOD-3 PROMOTER**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date of Deposit **September 29, 2004**

Signature *James Healey Sr.*

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98**

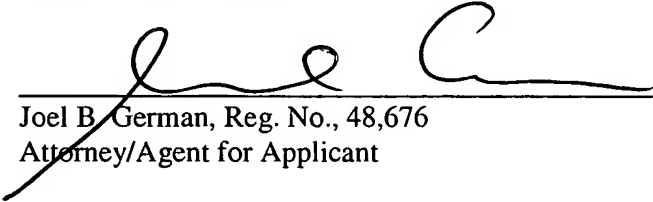
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
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- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Respectfully submitted,

  
Joel B. German, Reg. No., 48,676  
Attorney/Agent for Applicant

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Aventis Docket No. DEAV2003/0005 US NP



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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/766,339
				Filing Date	01-28-2004
				First Named Inventor	HOPPE, et al.
				Group Art Unit	Not Yet Known
				Examiner Name	Not Yet Known
				Attorney Docket Number	DEAV2003/0005 - US - NP
Sheet	1	of	3		

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				Filing Date	01-28-2004
				First Named Inventor	HOPPE, et al.
				Group Art Unit	Not Yet Known
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Sheet	2	of	3	Attorney Docket Number	DEAV2003/0005 - US - NP

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BRAECKMAN, Bart P. et al., Insulin-like signaling, metabolism, stress resistance and aging in Caenorhabditis elegans, Mechanisms of Aging and Development, (2001), Vol. 122, pp. 673 - 693	
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		KAESTNER, Klaus H. et al., Unified nomenclature for the winged helix/forkhead transcription factors, Genes & Development, (2000), Vol. 14, pp. 142 - 146	

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		Manuel J. Munoz et al., Positive Selection of Caenorhabditis elegans Mutants With Increased Stress Resistance and Longevity, Genetics, (2003), Vol. 163, pp. 171 - 180	
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		, Caenorhabditis elegans cosmid C08A9, PubMed No. 9851916 - Medline No. 99069613	

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